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Of Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

GARY ODOM, an Oregon resident

Case No.: CV 09-236-MO

Plaintiff,

v.

DEFENDANT'S MOTION TO
DISMISS ITS COUNTERCLAIMS WITHOUT
PREJUDICE

AUTODESK, INC., a Delaware corporation;

Defendant.

On March 12, 2010, the Court entered an Order dismissing the plaintiff's complaint without prejudice. At the Court's request and instruction, defendant Autodesk, Inc., reiterates that it does not intend to pursue its counterclaims separately in light of the Court's Order. As such, Autodesk moves to dismiss its counterclaims on the same terms under which the Court dismissed plaintiff's claims, *i.e.* without prejudice and with the same applicable conditions, if any.

Respectfully Submitted on this 13th day of April, 2010

PARSONS FARNELL & GREIN, LLP

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and

McDERMOTT WILL & EMERY, LLP

By: /s/ Stephen K. Shahida

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on April 13, 2010.

By: /s/ Stephen K. Shahida
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